

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

VEAR LEROY BROOKS,)	DISMISSAL ORDER
)	& MEMORANDUM DECISION
Plaintiff,)	
)	Case No. 2:10-CV-861 TS
v.)	
)	District Judge Ted Stewart
RICHARD GARDEN,)	
)	
Defendant.)	

In this *pro se* prisoner civil rights case,¹ the Court granted Plaintiff's *in forma pauperis* request. So the Court could figure his initial partial filing fee, the Court ordered Plaintiff to submit his certified inmate account statement for the six months right before his complaint was filed on August 30, 2010.² Plaintiff did not comply. He instead filed an uncertified account statement, covering the period from July 13 to September 22, 2010. As a consequence, the Court ordered him to show cause why his complaint should not be dismissed. Plaintiff responded by filing another uncertified account statement, covering the period from July 13 to October 28, 2010. When he offered no explanation for his noncompliance, the Court, on January 4, 2011, again ordered him to show cause why his complaint should not be dismissed. Plaintiff has not since responded.


¹See 42 U.S.C.S. § 1983 (2011).

²See 28 *id.* § 1915(a)(2).

IT IS THUS ORDERED that Plaintiff's case is DISMISSED
without prejudice for failure to comply with the Court's order.

DATED this 9th day of March, 2011.

BY THE COURT:



CHIEF JUDGE TED STEWART
United States District Court